THE INDIAN EMIGRATION ACT, 1922 (VII OF 1922).†

G. N., G. D., No. 279/4124-(A), dated 19th June 1924 (B. G., Pt. I, p. 1419). Ss. 2 & 23

Amended by G. N., G. D., No. 279/65091, dated 12th June 1928.
Amended by G. N., P. & S. D., No. 718/34, dated 10th April 1945.

In exercise of the powers conferred by sections 2 (*2*) and 23 of the Indian Emigration Act, 1922 (VII of 1922), the Governor in Council is pleased to make the following rules for the determination of doubts or disputes arising otherwise than in the course of any legal proceedings in respect of the matters specified in section 2 (*2*) of the said Act, namely :—

(1) In Bombay the Protector of Emigrants and elsewhere a magistrate as defined in rule 2 (*f*) of the Indian Emigration Rules, 1923, shall be competent to decide all doubts or disputes referred in to section 2 (*2*) of the said Act subject to any general directions which may be given by the Central Government.

(2) If any magistrate is in doubt as to whether a work is skilled or unskilled he shall refer the matter to the Protector of Emigrants, who shall advise him thereon.

(3) In deciding questions as to whether any person is an emigrant or whether any person has been assisted otherwise than by a relative, the Protector of Emigrants or a magistrate shall make such inquiry as he thinks fit.

(4) Subject to the provisions of Rule 27 (2) of the Indian Emigration Rules, 1923, the Protector of Emigrants or a magistrate shall not be bound to record in writing any evidence adduced at the enquiry.

(5) The result of any enquiry held by the Protector of Emigrants or a magistrate shall be embodied in the certificate granted by him to the person concerned.

(6) No written application shall be necessary to enable the Protector of Emigrants or a magistrate to hold an enquiry under these rules.

G. N., P. & S. D., No. 8953, dated 5th July 1943. S. 3 (1)

In exercise of the function of the Central Government under sub-section (*1*) of section 3 of the Indian Emigration Act, 1922 (VII of 1922), entrusted to the Government of Bombay by the Government of India in the Department of Indians Overseas Notification, No. F. 84-1/43-O.S., dated the 31st March 1943, and in supersession of Government Notification, Political Department, No. 8953, dated the 2nd May 1932, the Government of Bombay is pleased to appoint with effect from the 24th June 1943, Major E. H. Hawes, Country Craft Intelligence Officer, Bombay, to be the Protector of Emigrants for the Port of Bombay, in addition to his own duties, for the purpose of the said Act.

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† For entrustment of certain functions of Central Government under the Act and under the Indian Emigration Rules, 1923, see the following G. of I., Dept. of Education, Health and Lands, Notifications under section 124 (*1*) of the Government of India Act, 1935 :—

(1) F-262/36-L. & O., 31st Mar. 1938, as amended by Notification No. F-49 (43) 37 L. & O., 14th December 1939.

(2) F. 145/39, 31st January 1940, and

(3) F. 145/39-O.S, 12th March 1941.

S. 4 (c) **G. N., G. D., No. 279/4124-(B), dated 19th June 1924 (B. G., Pt. I, p. 1419).**

Amended by G. N., P. & S. D., No. 718/34, dated 10th April 1945.

Under section 4 (*c*) of the Indian Emigration Act, 1922 (VII of 1922), the Governor in Council is pleased to prescribe that the Protector of Emigrants shall inspect every vessel bringing return emigrants with reference to the following points, reporting thereon to the Central Government if necessary :—

(*i*) adequacy of accommodation and ventilation ;

(*ii*) provision of separate accommodation for women ;

(*iii*) existence of proper and sufficient latrines ;

(*iv*) arrangement for treating the sick ; and

(*v*) generally all matters relating to the comfort and convenience of emigrants during the voyage.

Provided that it shall not be necessary for the Protector of Emigrants to inspect any vessel to which Part IV of the Indian Merchant Shipping Act, 1923 (XXI of 1923), applies.

ule 4 (2) **G. N., G. D., No. 279/4124 (C), dated 19th June 1924 (B. G., Pt. I, p. 1420).**

Under rule 4 (2) of the Indian Emigration Rules, 1923, the Governor in Council is pleased to issue the following instructions and directions, namely :—

So long as the Assistant Collector of Customs in charge, Preventive Service, Bombay, is ex-officio Protector of Emigrants, Bombay, he shall be subordinate to the Collector of Customs and all correspondence (including returns) between the Protector of Emigrants and the Government shall pass through the Collector of Customs.

Rule 63 (1) **G. N., P. & S. D., No. 718/34, dated 20th March 1940 (B. G., Pt. IV-A, p. 409).**

In exercise of the functions of the Central Government under sub-rule (1) of rule 63 of the Indian Emigration Rules, 1923, published in the notification of the Government of India, Department of Revenue and Agriculture, No. 212, dated the 10th March 1923, entrusted to the Provincial Government by the notification of the Government of India, Department of Education, Health and Lands, No. F. 262/36-L & O., dated the 31st March 1938, the Government of Bombay is pleased to authorise, with effect from the 1st January 1940, the Chief Presidency Magistrate, Bombay, to give certificates of character for the purpose of sub-rule (1) of the said rule 63.